

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE 3:27
NORTHERN DISTRICT OF ALABAMA

WESTERN DIVISION

U.S. DISTRICT COURT
N.D. OF ALABAMA

HENRY JOINER,)
)
 Plaintiff,)
)
 vs.) CV 99-P-0849-W
)
 SHERIFF LARRY JOHNSON, FRANK L.)
 HENNIGAN, JOHN EDWARD POOLE,)
 and RUSSELL WELDON,)
)
 Defendants.)

ENTERED

JUL 09 1999

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on June 11, 1999, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim for which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 9th day of July, 1999.


SAM C. POINTER, JR.
CHIEF UNITED STATES DISTRICT JUDGE